

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Janne L AALTONEN <i>et al.</i>	Confirmation No.: 2213
Application No.: 10/688,430	Group Art Unit: 2457
Filed: October 17, 2003	Examiner: Michael C Lai

For: SYSTEM AND ASSOCIATED, METHOD AND COMPUTER PROGRAM
PRODUCT FOR RECORDING CONTENT USAGE STATISTICS

Commissioner for Patents
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief dated November 9, 2009, please amend the Appeal Brief submitted June 15, 2009 and subsequently amended on August 25, 2009, as follows:

Please substitute the following sections entitled, “Summary of Claimed Subject Matter” and “Claims Appendix” for corresponding Sections 5 and 8 that respectively began on page 2 and extended onto page 5 and began on page 12 and extended onto page 27 of the aforementioned Appeal Brief.

5. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed to a system comprising: a terminal configured to access at least one piece of content from a memory of the terminal in an offline manner after receipt of the

at least one piece of content (see, e.g., Specification, page 23, lines 6-16, FIGS. 1 and 2, reference characters 10, 12, and 34), the access of the at least one piece of content being a trigger to the terminal to obtain its location, the terminal being configured to obtain its location in response to the trigger (see, e.g., Specification, page 21, lines 11-31, page 22, lines 24-31, page 27, line 28 – page 28, line 4, FIG. 6, reference character 104; FIG. 7, reference characters 114 and 116), wherein the terminal is also configured to store, into a content usage log, at least one content usage statistic relating to the access of the at least one piece of content from memory (see, e.g., Specification, page 22, lines 1-17, page 27, line 28 – page 28, line 16, FIG. 2, reference character 34, FIG. 5, reference character 97, FIG. 6, reference characters 106 and 108, FIG. 7, reference character 118), and wherein at least one content usage statistic comprises the location of the terminal (see, e.g., Specification, page 22, lines 1-17, page 27, line 28 – page 28, line 4, FIG. 6, reference characters 106 and 108); and a destination configured to receive the content usage log including the at least one content usage statistic (see, e.g., Specification, page 19, lines 22-28, page 22, line 18 – page 23, line 5, page 28, lines 17-26, FIG. 5, reference character 97; FIG. 6, reference character 110, FIG. 7, reference character 122).

Independent claim 11 is directed to a system comprising: a terminal configured to access at least one piece of content from a memory, wherein the at least one piece of content comprises at least one piece of pre-broadcast content related to broadcast content, the pre-broadcast content including the broadcast content (see, e.g., Specification, page 26, lines 1-4, page 26, line 12 – page 27, line 11, FIG. 1, reference characters 10 and 12, FIG. 2, reference character 34, FIG. 5, reference character 97, FIG. 7, reference characters 114 and 116), wherein the terminal is also configured to store, into a content usage log, at least one content usage statistic relating to the terminal accessing the at least one piece of pre-broadcast content from the memory (see, e.g.,

Specification, page 27, line 12 – page 28, line 16, FIG. 2, reference character 34, FIG. 5, reference character 97, FIG. 7, reference character 118); and a destination configured to receive the content usage log including the at least one content usage statistic before the broadcast content is broadcast (see, e.g., Specification, page 28, line 5 – page 29, line 4; FIG. 7, reference character 120).

Independent claim 20 is directed to an apparatus comprising: a controller configured to access at least one piece of content from a memory in an offline manner after receipt of the at least one piece of content (see, e.g., Specification, page 23, lines 6-16, FIGS. 1, 2, and 5, reference characters 10, 12, 34, and 74), the access of the at least one piece of content being a trigger to the controller to obtain a location of the apparatus, the controller being configured to obtain the location of the apparatus in response to the trigger (see, e.g., Specification, page 21, lines 11-31, page 22, lines 24-31, page 27, line 28 – page 28, line 4, FIG. 6, reference character 104; FIG. 7, reference characters 114 and 116), and wherein the controller is also configured to store, into a content usage log, at least one content usage statistic relating to the access of the at least one piece of content from memory (see, e.g., Specification, page 22, lines 1-17, page 27, line 28 – page 28, line 16, FIG. 2, reference character 34, FIG. 5, reference character 97, FIG. 6, reference characters 106 and 108, FIG. 7, reference character 118), wherein at least one content usage statistic comprises the location of the apparatus (see, e.g., Specification, page 19, lines 22-28, page 22, lines 1-17, page 27, line 28 – page 28, line 4, FIG. 6, reference characters 106 and 108).

Independent claim 29 is directed to an apparatus, comprising: a controller configured to access at least one piece of content from a memory, the at least one piece of content comprising at least one piece of pre-broadcast content related to broadcast content, the pre-broadcast content

including the broadcast content (see, e.g., Specification, page 26, lines 1-4, page 26, line 12 – page 27, line 11, FIG. 2, reference character 34, FIG. 5, reference character 74, FIG. 7, reference characters 114 and 116), wherein the controller is also configured to store, into a content usage log, at least one content usage statistic relating to accessing the at least one piece of pre-broadcast content from the memory (see, e.g., Specification, page 27, line 12 – page 28, line 16, FIG. 2, reference character 34, FIG. 5, reference character 97, FIG. 7, reference character 118), and wherein the controller is configured to send the content usage log to a destination before the broadcast content is broadcast (see, e.g., Specification, page 25, lines 19-27, page 28, line 5 – page 29, line 4; FIG. 7, reference character 120).

Independent claim 37 is directed to a method comprising: accessing at least one piece of content from a memory of a terminal in an offline manner after receipt of the at least one piece of content (see, e.g., Specification, page 23, lines 6-16, FIGS. 1 and 2, reference characters 10, 12, and 34), the access of the at least one piece of content being a trigger to obtain a location of the terminal (see, e.g., Specification, page 21, lines 11-31, page 22, lines 24-31, page 27, line 28 – page 28, line 4, FIG. 6, reference character 104; FIG. 7, reference characters 114 and 116); obtaining the location of the terminal in response to the trigger (*Id.*); and causing at least one content usage statistic relating to the access of the at least one piece of content to be stored into a content usage log, wherein at least one content usage statistic comprises the location of the terminal (see, e.g., Specification, page 19, lines 22-28, page 22, lines 1-17, page 27, line 28 – page 28, line 16, FIG. 2, reference character 34, FIG. 5, reference character 97, FIG. 6, reference characters 106 and 108, FIG. 7, reference character 118).

Independent claim 46 is directed to a method comprising: accessing at least one piece of content from a of a terminal, wherein the at least one piece of content comprises at least one piece

of pre-broadcast content related to broadcast content, the pre-broadcast content including the broadcast content (see, e.g., Specification, page 26, lines 1-4, page 26, line 12 – page 27, line 11, FIG. 1, reference characters 10 and 12, FIG. 2, reference character 34, FIG. 5, reference character 97, FIG. 7, reference characters 114 and 116); storing, into a content usage log, at least one content usage statistic relating to accessing the at least one piece of pre-broadcast content from the memory (see, e.g., Specification, page 27, line 12 – page 28, line 16, FIG. 2, reference character 34, FIG. 5, reference character 97, FIG. 7, reference character 118); sending the content usage log to a destination; and thereafter broadcasting the broadcast content (see, e.g., Specification, page 28, line 5 – page 29, line 4; FIG. 7, reference character 120).

Independent claim 54 is directed to a computer program product for recording at least one content usage statistic, the computer program product comprising a computer-readable storage medium having computer-readable program code portions stored therein, the computer-readable program code portions (see, e.g., Specification, page 29, line 20 – page 30, line 20) comprising: a first executable portion configured to access at least one piece of content from a memory of a terminal in an offline manner after receipt of the at least one piece of content (see, e.g., Specification, page 23, lines 6-16, FIGS. 1 and 2, reference characters 10, 12, and 34), the access of the at least one piece of content being a trigger to obtain a location of the terminal (see, e.g., Specification, page 21, lines 11-31, page 22, lines 24-31, page 27, line 28 – page 28, line 4, FIG. 6, reference character 104; FIG. 7, reference characters 114 and 116); a second executable portion configured to obtain the location of the terminal in response to the trigger (*Id.*); and a third executable portion configured to store at least one content usage statistic relating to the access of the at least one piece of content into a content usage log (see, e.g., Specification, page 22, lines 1-17, page 27, line 28 – page 28, line 16, FIG. 2, reference character 34, FIG. 5, reference character

97, FIG. 6, reference characters 106 and 108, FIG. 7, reference character 118), wherein at least one content usage statistic comprises the location of the terminal (see, e.g., Specification, page 22, lines 1-17, page 27, line 28 – page 28, line 4, FIG. 6, reference characters 106 and 108).

Independent claim 63 is directed towards a computer program product of recording at least one content usage statistic (see, e.g., Specification, page 29, line 20 – page 30, line 20) comprising: a first executable portion configured to access at least one piece of content from a memory of a terminal (see, e.g., Specification, page 26, lines 1-4, , wherein the at least one piece of content comprises at least one piece of pre-broadcast content related to broadcast content, the pre-broadcast content including the broadcast content (see, e.g., Specification, page 26, lines 1-4, page 26, line 12 – page 27, line 11, FIG. 2, reference character 34, FIG. 5, reference character 74, FIG. 7, reference characters 114 and 116); a second executable portion configured to store at least one content usage statistic relating to accessing the at least one piece of pre-broadcast content into a content usage log (see, e.g., Specification, page 27, line 12 – page 28, line 16, FIG. 2, reference character 34, FIG. 5, reference character 97, FIG. 7, reference character 118); and a third executable portion configured to send the content usage log to a destination before the broadcast content is broadcast (see, e.g., Specification, page 25, lines 19-27, page 28, line 5 – page 29, line 4; FIG. 7, reference character 120).

8. CLAIMS APPENDIX

1. A system comprising:

a terminal configured to access at least one piece of content from a memory of the terminal in an offline manner after receipt of the at least one piece of content, the access of the at least one piece of content being a trigger to the terminal to obtain its location, the terminal being configured to obtain its location in response to the trigger, wherein the terminal is also configured to store, into a content usage log, at least one content usage statistic relating to the access of the at least one piece of content from memory, and wherein at least one content usage statistic comprises the location of the terminal; and

a destination configured to receive the content usage log including the at least one content usage statistic.

2. A system according to Claim 1, wherein the terminal is configured to receive at least one piece of content in accordance with a broadband data broadcast technique, and wherein the at least one piece of content comprises at least one piece of content for at least one channel comprising at least one of a television, radio or data channel.

3. A system according to Claim 2, wherein the terminal is configured to send the content usage log to the destination when a return channel between the terminal and the destination is at least one of available or established.

4. A system according to Claim 1, wherein the terminal is configured to access at least one piece of content comprising at least one piece of pre-broadcast content related to broadcast content, and wherein the terminal is configured to send the content usage log to the destination before the broadcast content is broadcast.

5. A system according to Claim 4, wherein the at least one piece of pre-broadcast content comprises a set of at least one television program over a given time period for at least one television channel, wherein the terminal is configured to access the at least one piece of pre-broadcast content at least a predefined period of time before the broadcast content is broadcast, and wherein the predefined period of time comprises the given time period.

6. A system according to Claim 1, wherein the terminal is configured to store at least one content usage statistic further comprising at least one statistic related to at least one of the terminal or the at least one piece of content accessed from the memory.

8. A system according to Claim 1, wherein the terminal is configured to repeatedly access at least one piece of content, each access being a trigger to the terminal to obtain its location, the terminal being configured to obtain its location in response to each trigger and store at least one content usage statistic for at least one period of time, and wherein the terminal is further configured to send the content usage log to the destination after each period of time.

9. A system according to Claim 1, wherein the destination is configured to receive the content usage log including the at least one content usage statistic such that a network entity is configured to send, to the terminal, at least one piece of content based upon the at least one content usage statistic.

10. A system according to Claim 1, wherein the terminal is configured to store at least one content usage statistic further comprising at least one of a type of the at least one piece of content accessed from the memory, a time the at least one piece of content was accessed from memory, information regarding used connection types, or information regarding available connection types comprising at least one of a signal strength, capacity or utilization rate of the connection types.

11. A system comprising:

a terminal configured to access at least one piece of content from a memory, wherein the at least one piece of content comprises at least one piece of pre-broadcast content related to broadcast content, the pre-broadcast content including the broadcast content, wherein the terminal is also configured to store, into a content usage log, at least one content usage statistic relating to the terminal accessing the at least one piece of pre-broadcast content from the memory; and

a destination configured to receive the content usage log including the at least one content usage statistic before the broadcast content is broadcast.

12. A system according to Claim 11, wherein the terminal is configured to receive at least one piece of content in accordance with a broadband data broadcast technique, and wherein the at least one piece of content comprises at least one piece of content for at least one channel comprising at least one of a television, radio or data channel.

13. A system according to Claim 12, wherein the terminal is configured to send the content usage log to the destination when a return channel between the terminal and the destination is at least one of available or established.

14. A system according to Claim 11, wherein the terminal is configured to store at least one content usage statistic further comprising at least one statistic related to at least one of the terminal or the at least one piece of content accessed from the memory.

15. A system according to Claim 11, wherein the terminal is configured to access at least one piece of content from a memory of a terminal in an offline manner.

16. A system according to Claim 11, wherein the terminal is configured to repeatedly access at least one piece of content and store at least one content usage statistic for a period of time before the broadcast content is broadcast, and wherein the terminal is configured to send the content usage log to the destination after the period of time and before the broadcast content is broadcast.

17. A system according to Claim 11, wherein the at least one piece of pre-broadcast content comprises a set of at least one television program over a given time period for at least one television channel, wherein the terminal is configured to access the at least one piece of pre-broadcast content at least a predefined period of time before the broadcast content is broadcast, and wherein the predefined period of time comprises the given time period.

18. A system according to Claim 11, wherein the destination is configured to receive the content usage log including the at least one content usage statistic such that a network entity is configured to send, to the terminal, at least one piece of content based upon the at least one content usage statistic.

19. A system according to Claim 11, wherein the terminal is configured to store at least one content usage statistic further comprising at least one of a type of the at least one piece of content accessed from the memory, a time the at least one piece of content was accessed from memory, information regarding used connection types, or information regarding available connection types comprising at least one of a signal strength, capacity or utilization rate of the connection types.

20. An apparatus comprising:

a controller configured to access at least one piece of content from a memory in an offline manner after receipt of the at least one piece of content, the access of the at least one piece

of content being a trigger to the controller to obtain a location of the apparatus, the controller being configured to obtain the location of the apparatus in response to the trigger, and

wherein the controller is also configured to store, into a content usage log, at least one content usage statistic relating to the access of the at least one piece of content from memory, wherein at least one content usage statistic comprises the location of the apparatus.

21. An apparatus according to Claim 20, wherein the apparatus is configured to receive at least one piece of content in accordance with a broadband data broadcast technique, and wherein the at least one piece of content comprises at least one piece of content for at least one channel comprising at least one of a television, radio or data channel.

22. An apparatus according to Claim 21, wherein the controller is configured to send the content usage log to a destination when a return channel between the apparatus and the destination is at least one of available or established.

23. An apparatus according to Claim 20, wherein the apparatus is configured to receive and store at least one piece of content comprising at least one piece of pre-broadcast content related to broadcast content, wherein the controller is configured to send the content usage log to a destination before the broadcast content is broadcast.

24. An apparatus according to Claim 23, wherein the at least one piece of pre-broadcast content comprises a set of at least one television program over a given time period for at least one television channel, wherein the controller is configured to access the at least one piece of pre-broadcast content at least a predefined period of time before the broadcast content is broadcast, and wherein the predefined period of time comprises the given time period.

25. An apparatus according to Claim 20, wherein the controller is configured to store at least one content usage statistic further comprising at least one statistic related to at least one of the apparatus or the at least one piece of content accessed from the memory of the apparatus.

27. An apparatus according to Claim 20, wherein the controller is configured to repeatedly access at least one piece of content, each access being a trigger to the controller to obtain the location of the apparatus, and the controller is configured to obtain the location of the apparatus in response to each trigger, and repeatedly store at least one content usage statistic for at least one period of time, and wherein the controller is further configured to send the content usage log to a destination after each period of time.

28. An apparatus according to Claim 20, wherein the controller is configured to store at least one content usage statistic further comprising at least one of a type of the at least one piece of content accessed from the memory, a time the at least one piece of content was accessed from memory, information regarding used connection types, or information regarding available connection types comprising at least one of a signal strength, capacity or utilization rate of the connection types.

29. An apparatus comprising:

a controller configured to access at least one piece of content from a memory, the at least one piece of content comprising at least one piece of pre-broadcast content related to broadcast content, the pre-broadcast content including the broadcast content, wherein the controller is also configured to store, into a content usage log, at least one content usage statistic relating to accessing the at least one piece of pre-broadcast content from the

memory, and wherein the controller is configured to send the content usage log to a destination before the broadcast content is broadcast.

30. An apparatus according to Claim 29, wherein the apparatus is configured to receive at least one piece of content in accordance with a broadband data broadcast technique, and wherein the at least one piece of content comprises at least one piece of content for at least one channel comprising at least one of a television, radio or data channel.

31. An apparatus according to Claim 29, wherein the apparatus is configured to send the content usage log to the destination when a return channel between the apparatus and the destination is at least one of available or established.

32. An apparatus according to Claim 29, wherein the controller is configured to store at least one content usage statistic further comprising at least one statistic related to at least one of the apparatus or the at least one piece of content accessed from the memory of the apparatus.

33. An apparatus according to Claim 29, wherein the controller is configured to access at least one piece of content from a memory of a apparatus in an offline manner.

34. An apparatus according to Claim 29, wherein the controller is configured to repeatedly access at least one piece of content and repeatedly store at least one content usage statistic for a period of time before the broadcast content is broadcast, and wherein the controller is configured to send the content usage log to a destination after the period of time and before the broadcast content is broadcast.

35. An apparatus according to Claim 29, wherein the at least one piece of pre-broadcast content comprises a set of at least one television program over a given time period for at least one

television channel, wherein the controller is configured to access the at least one piece of pre-broadcast content at least a predefined period of time before the broadcast content is broadcast, and wherein the predefined period of time comprises the given time period.

36. An apparatus according to Claim 29, wherein the controller is configured to store at least one content usage statistic further comprising at least one of a type of the at least one piece of content accessed from the memory, a time the at least one piece of content was accessed from memory, information regarding used connection types, or information regarding available connection types comprising at least one of a signal strength, capacity or utilization rate of the connection types.

37. A method comprising:

accessing at least one piece of content from a memory of a terminal in an offline manner after receipt of the at least one piece of content, the access of the at least one piece of content being a trigger to obtain a location of the terminal;

obtaining the location of the terminal in response to the trigger; and

causing at least one content usage statistic relating to the access of the at least one piece of content to be stored into a content usage log, wherein at least one content usage statistic comprises the location of the terminal.

38. A method according to Claim 37 further comprising:

receiving at least one piece of content into the memory of the terminal in accordance with a broadband data broadcast technique, wherein the at least one piece of content comprises at least one piece of content for at least one channel comprising at least one of a television, radio or data channel.

39. A method according to Claim 38 further comprising: sending the content usage log to a destination when a return channel between the terminal and the destination is at least one of available or established.

40. A method according to Claim 37 further comprising:

receiving at least one piece of content into the memory of the terminal, wherein the at least one piece of content comprises at least one piece of pre-broadcast content related to broadcast content;

sending the content usage log to a destination; and thereafter

broadcasting the broadcast content.

41. A method according to Claim 40, wherein the at least one piece of pre-broadcast content comprises a set of at least one television program over a given time period for at least one television channel, wherein accessing at least one piece of content comprises accessing at least one piece of pre-broadcast content at least a predefined period of time before the broadcast content is broadcast, and wherein the predefined period of time comprises the given time period.

42. A method according to Claim 37, wherein causing at least one content usage statistic to be stored comprises causing, to be stored, at least one content usage statistic further comprising at least one statistic related to at least one of the terminal or the at least one piece of content accessed from the memory of the terminal.

44. A method according to Claim 37, wherein accessing at least one piece of content, obtaining a location of the terminal, and causing at least one content usage statistic to be stored comprise repeatedly accessing at least one piece of content, each access being a trigger to obtain the location of the terminal, obtaining the location of the terminal in response to each trigger, and

causing at least one content usage statistic to be stored for at least one period of time, and wherein the method further comprises:

sending the content usage log to a destination after each period of time.

45. A method according to Claim 37, wherein causing at least one content usage statistic to be stored comprises causing, to be stored, at least one content usage statistic further comprising at least one of a type of the at least one piece of content accessed from the memory, a time the at least one piece of content was accessed from memory, information regarding used connection types, or information regarding available connection types comprising at least one of a signal strength, capacity or utilization rate of the connection types.

46. A method comprising:

accessing at least one piece of content from a memory of a terminal, wherein the at least one piece of content comprises at least one piece of pre-broadcast content related to broadcast content, the pre-broadcast content including the broadcast content;

storing, into a content usage log, at least one content usage statistic relating to accessing the at least one piece of pre-broadcast content from the memory;

sending the content usage log to a destination; and thereafter

broadcasting the broadcast content.

47. A method according to Claim 46 further comprising:

receiving at least one piece of content into the memory of the terminal in accordance with a broadband data broadcast technique, wherein the at least one piece of content comprises at least one piece of pre-broadcast content for at least one channel comprising at least one of a television, radio or data channel.

48. A method according to Claim 47, wherein sending the content usage log comprises sending the content usage log to a destination when a return channel between the terminal and the destination is at least one of available or established.

49. A method according to Claim 46, wherein storing at least one content usage statistic comprises storing at least one content usage statistic further comprising at least one statistic related to at least one of the terminal or the at least one piece of content accessed from the memory of the terminal.

50. A method according to Claim 46, wherein accessing at least one piece of content comprises accessing at least one piece of content from a memory of a terminal in an offline manner.

51. A method according to Claim 46, wherein accessing at least one piece of content and storing at least one content usage statistic comprise repeatedly accessing at least one piece of content and storing at least one content usage statistic for a period of time before broadcasting the broadcast content, and wherein sending the content usage log comprises sending the content usage log to a destination after the period of time and before broadcasting the broadcast content.

52. A method according to Claim 46, wherein the at least one piece of pre-broadcast content comprises a set of at least one television program over a given time period for at least one television channel, wherein accessing at least one piece of content comprises accessing the at least one piece of pre-broadcast content at least a predefined period of time before the broadcast content is broadcast, and wherein the predefined period of time comprises the given time period.

53. A method according to Claim 46, wherein storing at least one content usage statistic comprises storing at least one content usage statistic further comprising at least one of a type of the at least one piece of content accessed from the memory, a time the at least one piece of content was accessed from memory, information regarding used connection types, or information regarding available connection types comprising at least one of a signal strength, capacity or utilization rate of the connection types.

54. A computer program product for recording at least one content usage statistic, the computer program product comprising a computer-readable storage medium having computer-readable program code portions stored therein, the computer-readable program code portions comprising:

- a first executable portion configured to access at least one piece of content from a memory of a terminal in an offline manner after receipt of the at least one piece of content, the access of the at least one piece of content being a trigger to obtain a location of the terminal;
- a second executable portion configured to obtain the location of the terminal in response to the trigger; and
- a third executable portion configured to store at least one content usage statistic relating to the access of the at least one piece of content into a content usage log, wherein at least one content usage statistic comprises the location of the terminal.

55. A computer program product according to Claim 54 further comprising:

- a fourth executable portion configured to receive at least one piece of content into the memory of the terminal in accordance with a broadband data broadcast technique,

wherein the at least one piece of content comprises at least one piece of content for at least one channel comprising at least one of a television, radio or data channel.

56. A computer program product according to Claim 55 further comprising:

a fifth executable portion configured to send the content usage log to a destination when a return channel between the terminal and the destination is at least one of available or established.

57. A computer program product according to Claim 54 further comprising:

a fourth executable portion configured to receive at least one piece of content into the memory of the terminal, wherein the at least one piece of content comprises at least one piece of pre-broadcast content related to broadcast content; and

a fifth executable portion configured to send the content usage log to a destination before the broadcast content is broadcast.

58. A computer program product according to Claim 57, wherein the at least one piece of pre-broadcast content comprises a set of at least one television program over a given time period for at least one television channel, wherein the first executable portion is configured to access at least one piece of pre-broadcast content at least a predefined period of time before the broadcast content is broadcast, and wherein the predefined period of time comprises the given time period.

59. A computer program product according to Claim 54, wherein the third executable portion is configured to store at least one content usage statistic further comprising at least one statistic related to at least one of the terminal or the at least one piece of content accessed from the memory of the terminal.

61. A computer program product according to Claim 54, wherein the first executable portion is configured to repeatedly access at least one piece of content, each access being a trigger to obtain the location of the terminal, the second executable portion is configured to obtain the location of the terminal in response to each trigger, and the third executable portion is configured to repeatedly store at least one content usage for at least one period of time, and wherein the computer program product further comprises:
a fourth executable portion configured to send the content usage log to a destination after each period of time.

62. A computer program product according to Claim 54, wherein the third executable portion is configured to store at least one content usage statistic further comprising at least one of a type of the at least one piece of content accessed from the memory, a time the at least one piece of content was accessed from memory, information regarding used connection types, or information regarding available connection types comprising at least one of a signal strength, capacity or utilization rate of the connection types.

63. A computer program product of recording at least one content usage statistic comprising:
a first executable portion configured to access at least one piece of content from a memory of a terminal, wherein the at least one piece of content comprises at least one piece of pre-broadcast content related to broadcast content, the pre-broadcast content including the broadcast content;
a second executable portion configured to store at least one content usage statistic

relating to accessing the at least one piece of pre-broadcast content into a content usage log;
and
a third executable portion configured to send the content usage log to a destination before the broadcast content is broadcast.

64. A computer program product according to Claim 63 further comprising:

a fourth executable portion configured to receive at least one piece of content into the memory of the terminal in accordance with a broadband data broadcast technique, wherein the at least one piece of content comprises at least one piece of pre-broadcast content for at least one channel comprising at least one of a television, radio or data channel.

65. A computer program product according to Claim 64, wherein the third executable portion is configured to send the content usage log to a destination when a return channel between the terminal and the destination is at least one of available or established.

66. A computer program product according to Claim 63, wherein the second executable portion is configured to store at least one content usage statistic further comprising at least one statistic related to at least one of the terminal or the at least one piece of content accessed from the memory of the terminal.

67. A computer program product according to Claim 63, wherein the first executable portion is configured to access at least one piece of content from a memory of a terminal in an offline manner.

68. A computer program product according to Claim 63, wherein the first executable portion is configured to repeatedly access at least one piece of content and the second executable portion is configured to store at least one content usage statistic comprise being configured to repeatedly access at least one piece of content and store at least one content usage statistic for a period of time before broadcasting the broadcast content, and wherein the third executable portion is configured to send the content usage log to a destination after the period of time and before the broadcast content is broadcast.

69. A computer program product according to Claim 63, wherein the at least one piece of pre-broadcast content comprises a set of at least one television program over a given time period for at least one television channel, wherein the first executable portion is configured to access the at least one piece of pre-broadcast content at least a predefined period of time before the broadcast content is broadcast, and wherein the predefined period of time comprises the given time period.

70. A computer program product according to Claim 63, wherein the second executable portion is configured to store at least one content usage statistic further comprising at least one of a type of the at least one piece of content accessed from the memory, a time the at least one piece of content was accessed from memory, information regarding used connection types, or information regarding available connection types comprising at least one of a signal strength, capacity or utilization rate of the connection types.

71. An apparatus according to Claim 20, wherein the controller being configured to obtain the location of the apparatus in response to the trigger includes being configured to obtain a geographic location of the apparatus in response to the trigger.

CONCLUSION

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

December 9, 2009
Date

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